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60TH CONGRESS, 1st Session. } SENATE. { DOCUMENT No. 524.

WILLIAM H. WEBER AND JOHN HADDOW.

Mr. CULBERSON presented the following

PAPERS ON THE IMPRISONMENT OF WILLIAM H. WEBER AND JOHN HADDOW FOR ALLEGED CONTEMPT OF COURT, AND THEIR PARDON BY THE PRESIDENT OF THE UNITED STATES.

MAY 27, 1908.—Ordered to be printed

United States circuit court, western district of New York, in equity.

The Delaware, Lackawanna and Western Railroad Company, complainant, against the Switchmen's Union of North America, Buffalo Lodge, No. 4, of the Switchmen's Union of North America, William Jordan as president of Buffalo Lodge, No. 4, of the Switchmen's Union of North America, F. T. Hawley, Robert W. Flynn, S. E. Heberling, E. D. Jackson, M. R. Welch, F. M. Cassidy, D. A. Harshbarger (whose first names are unknown); John Doe and Richard Roe.

An application having this day been made to this court for an injunction during the pendency of this suit, and upon reading and filing the bill of complaint herein duly verified, and the affidavit of Charles J. Phillips, duly verified this day, together with the exhibits appended thereto, and after hearing Mr. Louis L. Babcock, as counsel for the complainant in support of said motion, and it appearing, after due deliberation thereon, that the complainant is entitled to a temporary injunction herein restraining the defendants herein and all other persons from any of the acts herein specified.

Now, upon motion of Rogers, Locke & Babcock, solicitors for the complainant, it is

Ordered, That the above-named defendants, the Switchmen's Union of North America, Buffalo Lodge, No. 4, of the Switchmen's Union of North America, William Jordan as president of Buffalo Lodge, No. 4, of the Switchmen's Union of North America, F. T. Hawley, Robert W. Flynn, S. E. Heberling, E. D. Jackson, M. R. Welch, F. M. Cassidy, D. A. Harshbarger (whose first names are unknown); John Doe and Richard Roe and each thereof, be enjoined and restrained from combining and conspiring each with the other or with any other person, to induce the switchmen employed by the orator at various places along its line, including the city of Buffalo and points in the vicinity thereof, to violate the contract set forth in the bill of complaint herein restraining them and each of their

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agents, servants, employees, and all others acting for the defendants, or either or any of them; from compelling or inducing or attempting to compel or induce by threats, intimidation, persuasion, or otherwise, any of the employees of the orator employed at switching in the city of Buffalo, or elsewhere, under said contract of employment, to refuse or fail to do their work or discharge their duties as such employees, or to leave the service of the orator, or from preventing or attempting to prevent any person or persons by threats, intimidation, or unlawful persuasion from freely entering into the service or employment of the orator, or from compelling or inducing, or attempting to compel or induce in any manner whatever, any person or persons being a member of the said grand lodge or subordinate lodge referred to in the bill of complaint herein from assisting or aiding the orator in the conduct of its business, or from doing any act whatever in furtherance of any conspiracy or combination to restrain or obstruct the operation or business of the orator, or from inducing or attempting to induce in any manner whatever any of the switchmen employed by the orator in the city of Buffalo, or elsewhere, who are at the present time members of the Switchmen's Union of North America, or the Buffalo Lodge, No. 4, of the Switchmen's Union of North America, or who were on the first day of January, 1907, members of either of said lodges, from quitting the service of the orator, or from doing any act whatsoever, either personally or through their agents, servants, representatives, or employees, to induce any one in the service of the orator to break or breach his or their contract of employment with the said orator.

It is further ordered that the defendants and each of them show cause before me at the chambers of this court in the post-office building in the city of Buffalo, on the 26th day of November, 1907, at the opening of court on that day, or as soon thereafter as counsel can be heard, why the temporary injunction herein granted should not be continued during the pendency of this action. Service of this injunction shall be sufficient if made upon the defendants on or before the 23d day of November, 1907.

Dated November 18, 1907.

JOHN R. HAZEL,
United States Judge.

The President of the United States of America to the Switchmen's Union of North America; Buffalo Lodge No. 4, of the Switchmen's Union of North America; William Jordan, as president of Buffalo Lodge No. 4, of the Switchmen's Union of North America; F. T. Hawley, Robert W. Flynn, S. E. Heberling, E. D. Jackson, M. R. Welch, F. M. Cassidy, D. A. Harshbarger (whose first names are unknown); John Doe and Richard Roe, greeting.

You are hereby commanded that you personally appear before the judges of the circuit court of the United States for the western district of New York, in the second circuit, on the first Monday in January, 1908, to answer to a bill of complaint exhibited against you in said court by the Delaware, Lackawanna and Western Railroad Company, and to do further and receive whatever said court shall have considered in that behalf, and this you are not to omit under the penalty of $250.

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Witness the Hon. Melville W. Fuller, Chief Justice of the United States of America, at the city of Buffalo, in said western district of New York, this 18th day of November, in the year of our Lord 1907.

[SEAL.] HARRIS S. WILLIAMS, *Clerk.*

ROGERS, LOCKE & BABCOCK,
Solicitors for Complainant.

MEMORANDUM.—The defendant is to enter his appearance in the suit above mentioned in the clerk's office at Buffalo on or before the day at which the above subpœna is returnable, otherwise the bill may be taken pro confesso.

HARRIS S. WILLIAMS, *Clerk.*

IMPRISONMENT OF WILLIAM H. WEBER AND JOHN HADDOW FOR ALLEGED CONTEMPT OF COURT, AND THEIR PARDON BY THE PRESIDENT OF THE UNITED STATES.

DEPARTMENT OF JUSTICE,
Washington, D. C., April 29, 1902.

SIR: The petitioners. William H. Weber, John Haddow, Tom Braley, Cass Braley, and David Clarkson, after a hearing before Hon. Henry C. McDowell, United States district judge for the western district of Virginia, were adjudged guilty of contempt of court, and on March 25, 1902, were sentenced as follows: William H. Weber and John Haddow to be imprisoned in the city jail of Lynchburg, Va., for six months each; Tom Braley to be imprisoned in the county jail of Wise County for one month, and Cass Braley and David Clarkson to be imprisoned in the county jail of Wise County for two months each.

A petition for their pardon was filed on April 18. It was transmitted from the White House with the following letter from the Secretary to the President:

> The President considers the case referred to in the accompanying papers a very important one, and directs me to ask that you send him a full and careful report upon it, so that he may consider it from the standpoint not only of law but of general policy.

The petition is signed for the five petitioners by their attorneys. The petition recites the conviction and sentences, and makes a statement of facts briefly as follows: A mining operation in Wise County, Va., known as the Looney Creek lease, is in the hands of receivers appointed by the United States circuit court in the suit of the Norton Trust Company of New York *v.* The Virginia Iron, Coal and Coke Company. In February, 1901, an injunction was issued by the late Judge Paul restraining certain parties named, and "all other parties who may be hereafter ascertained," from going upon the property, interfering with the management of the receivers, etc., This injunction having been granted in vacation by a district judge, ceased to be operative at the next ensuing term of the circuit court, which began in May, 1901. In October, 1901, Circuit Judge Simonton issued an order addressed to John Haddow and William Weber, enjoining them "from any interference with the employees of the receivers so as to affect the conduct of the business of the receivers." On March 12, 1902, Weber and Haddow were arrested on the charge of being in con-

tempt of court, in disobeying the order, and on March 13 rules were issued against the other three petitioners, miners who had been working at the Looney Creek lease.

On March 17 the defendants were put on trial, and on March 25 the judge delivered a written opinion, and sentenced the petitioners as hereinbefore stated. The contempt proceedings were founded upon a petition of the receivers, filed March 12, and the only specification against the defendants was that on March 10 a body of 150 armed men marched upon the property of the receivers, exhibited firearms in a threatening manner, ordered the employees to quit work, etc. Weber and Haddow were charged with being the organizers of this armed force. Petitioners claim that it developed upon the trial that this claim had no shadow of foundation. It was further alleged in the petition of the receivers that notices bearing the impress of the United Mine Workers, and calling upon the men to quit work and intimidating them, had been posted by the direction of Weber and Haddow. It is alleged that the originals were written on small scraps of letter paper in pencil, in a crude hand, and were hardly legible. The testimony shows that a notice similar to those quoted in the petition was put up at one of the mines by Cass Braley on March 10. The evidence tended to show that a similar notice was put up at another mine by David Clarkson on March 10. No threats were made by either man.

According to the testimony of Joseph Virgin, superintendent of the operation, the disturbance at the mines under his charge culminated on March 10, after these notices had been posted. Mr. Virgin estimates the number of men who were deterred from working at about 100. No other witness testified that the notices had any such effect, and not one of the 100 men who, as Mr. Virgin says, were deterred from going to work was introduced as a witness. Of the 21 Hungarians referred to, one named Joe Zubric, a man too ignorant of the English language to give intelligible testimony, stated that the Hungarians had stopped work "because somebody forming the union scared to go to work, scared; somebody scared them; shoot them if they went to work." In the petition it is claimed that the evidence shows that one of the notices was put up by Cass Braley and another was put up by David Clarkson, but neither of these men did or threatened any act of violence or used any means of intimidation. Tom Braley, when the notices were put up, was not even a member of the union. Neither Weber nor Haddow ever saw or heard of the notices until put upon trial at Lynchburg. No other specific charges were made in the petition of the receivers upon which the prosecution was based.

It was brought out in evidence that in October or November Weber stated to the company's hired detective, Baldwin, that he had violated and intended to violate the injunction. The same detective testified that he knew of no act of disturbance by Weber. And he also testified that Weber told him he did not want any employee to raise any disturbance or to give any trouble. Weber, in his testimony upon trial, explained what he meant by the statement that he had violated the injunction and would again violate it, meaning that the order of the court was so sweeping that he could not breathe the air that blew over the mines without violating the order, and that in that sense alone he had violated it and would have to violate it again.

In the petition the following paragraph from the opinion of the court is quoted:

> The witness (Baldwin) testified that Weber told him he had violated the order of October 26, 1901, and intended to violate it. This witness had no interest to misstate the truth in that respect.

It was further brought out in evidence that on Sunday, March 2, Weber and Haddow addressed a meeting in the open air. All the testimony showed that the meeting was quiet and orderly. There was no proof that any man quit work in consequence of anything said or done at the meeting. Other points brought out in the testimony and opinion of the court, which do not seem material to the cause, are touched upon in the petition. It is alleged that Weber and Haddow had never been upon the property of the receiver, but had carefully refrained from going on it, or from doing any act or uttering any words that might be considered as a violation of the law. No offense was proven against Cass Braley and David Clarkson, except that the first named put up one of the notices at one of the mines and called the attention of some of the men to it, and the other put up one of the notices at another mine. No threat was uttered by either of them, nor was any trouble or disturbance caused by either of them. They were too poor to attend court in response to the rule issued against them, and were tried and condemned in their absence.

As to Tom Braley, it is claimed in the petition that the testimony utterly fails to connect him with any disturbance or trouble at the mines. He had been a faithful laborer at the mine for three years, and on Monday, March 10, was discharged by the superintendent without cause, without a word of explanation, and at a time when he was not a member of the union. The only evidence introduced against him was a conversation which he had with John Camp, a foreman on the yard engine, and with Henderson Morris, an employee of the mines. It is alleged that counsel for the prosecution admitted in open court that Tom Braley was "a manly fellow, and in his testimony had spoken the truth, and nothing but the truth." It is therefore claimed that his version of the conversation may be accepted as the truth.

It is argued in the petition that the evidence very clearly shows that the true cause of whatever trouble occurred at the mining operation was the active and aggressive opposition of Mine Superintendent Virgin to the formation of a labor union among the miners. For months he had employed detectives, seeking some pretext upon which he could invoke the aid of the court. He declared his policy was to discharge all men who joined the union, and in pursuance of this policy he began on Monday morning, March 3, to discharge union men, and continued to discharge them, with the result that on Wednesday, March 5, the force of workmen at mine No. 3 had been so depleted and demoralized that he gave instructions to close the mine down indefinitely. The men whom he discharged were among the most efficient that he had, as testified to by the foreman of the mine, and their sole offense was that they had joined the union. Under such harsh and oppressive treatment the men inevitably became restless, discontented, and demoralized, and the result that followed on the 10th of March was the natural consequence of the carrying

out of the superintendent's policy. Up to that time there had been no disturbance, and no miner had voluntarily quit work. The petitioners thereupon enter upon a discussion of the legal features of the case, which will be found upon pages 10–13 of the petition.

In conclusion it is alleged that the United Mine Workers is one of the great labor organizations of this country; and if the United Mine Workers is a lawful organization, as it undoubtedly is, there is no warrant in the evidence in this case for punishing Weber and Haddow for any unlawful acts that may have been done by members of the local lodge at Appalachia, of which lodge neither of them was a member. Their sole offense was that they were members of the union and were attempting to organize local lodges in that section of Virginia. Foregoing is a brief of petition for pardon.

A copy of the petition of the receivers, upon which the prosecution was based, has been filed. It is alleged that for the last six months or more Weber and Haddow have been attempting to interfere in the relations existing between the receivers and the employees; that until recently these two men and others whom they have associated with themselves have been shrewd enough not to resort to any open violence or threats of open violence, but within the last few days they have thrown off all restraint and have resorted to open threats of violence.

Certain specific acts are alleged to have been committed. First, it is alleged that on Monday, March 10, a large force of armed men, numbering more than 150, assembled upon and around the receivers' property, exhibiting firearms in a most threatening manner, and declaring that they propose to stop the operations of the receivers. It is alleged that Weber and Haddow were the prime movers and instigators of the disturbances above mentioned, and that they advised and instructed some of the men "to make their guns their best friends." It is alleged that Henry Dodson, David Clarkson, Tom Braley, Cass Braley, and M. H. Patton are some of the men whom Weber and Haddow had associated with them in the unlawful acts complained of. This petition is verified by one J. L. Brass, who states under oath "that the matters and things contained in the foregoing petition, so far as stated upon his own knowledge, are true, and so far as they are stated upon information derived from others he believes them to be true." The said J. L. Brass gave no testimony as a witness in the proceedings in this case.

There was also filed an order and decree entered by Judge McDowell on March 17, ordering the arrest of Haddow and Weber, and ordering the other persons named in the petition of the receivers to refrain from going upon the premises of the receivers.

There is also a copy of an attachment and rule issued against the defendants in this case other than Weber and Haddow.

There is also filed a copy of the opinion of the court, which is paper No. 7. The proceedings in the receivership case are recited, and it is admitted that the order of Judge Paul, issued February 12, 1901, ceased to be operative in May, 1901. That in October, 1901, the circuit judge issued an injunction directed to Weber and Haddow by name. It is stated that Weber and Haddow admitted that they are officers of the United Mine Workers of America, and that they came to Virginia in October, 1901, and March, 1902, for the purpose of organizing lodges among the mine workers. It is stated in the opin-

ion that the right of employees to voluntarily join a union that has only legal purposes in view can not be denied, but if the object of the union is illegal it appears to be well settled that the persons who combine in such efforts are conspirators. Further in the opinion it is said:

> In the first place, it is hardly open to serious question that the ultimate purpose of the union is not legal. Its purpose is to secure control of mining operations, including those under the management of the receivers of this court.

In the opinion it is stated that two of the defendants, Cass Braley and David Clark (or Clarkson), are proved to have been members of the union and to have posted some of the notices suspending the works, and argument is made against the contention of the defense that Weber and Haddow had nothing to do with the illegal acts traced to certain members of the union. It is further said:

> But the act of the union in ordering coke pullers and loaders to stop work is in itself a direct contravention of the order of this court directing the receivers to operate the plant. In other words, such acts are illegal.

Reference is made to the addresses of the defendants Weber and Haddow at the meeting on Sunday, March 2, and it is stated by the court that "at that meeting much that was said by these organizers was proper and unobjectionable." It is then said that intimations were thrown out that if the men did not join the union the product of the mines might be boycotted and the nonunion workers would be blacklisted. Reference is made to other testimony that a plan had been formed by Weber and Haddow to march a body of men to the Stonega mining plant, a plant located near the property of the receivers, but that the plan failed because of some accident. The mining plant at Stonega is not in the hands of the receivers.

The language of the opinion, whether intentionally or unintentionally, creates the impression that the plant was in the hands of the receivers.

It is then argued that Weber and Haddow, having intended to march the force of men to Stonega, which intention was not accomplished, could not therefore be ignorant of the intention of their confederates at the Inman plant to adopt similar methods of intimidation. Reference is also made to the statements alleged to have been made by Weber to a newspaper reporter, and the court states that no satisfactory denial of the correctness of the interview was made.

The petition in this case was referred to Judge McDowell on April 18, and his reply was received April 28. He says he thinks that the order made by the court in this contempt proceedings is reviewable by the circuit court of appeals, and he therefore thinks the propriety of a pardon in a reviewable case is open to question. He says that as to the merits of the case he can add very little to the opinion. He says that Tom Braley was found guilty largely on the testimony of Camp, the foreman of the yard engine. He says that Cass Braley and Clarkson were certainly active agents of the union. He concludes:

> Weber and Haddow were, I thought and still think, the chief inciters of an intolerable state of intimidation and lawlessness, who knowingly violated the order of Judge Paul (directing the receivers to operate the plant) and of Judge Simonton (addressed to Weber and Haddow by name).

A complete transcript of the testimony in this case has been filed, and I have prepared a brief of the same. After a careful study of this testimony I can not find a shadow of evidence which goes to prove that

the defendants Weber and Haddow, by any act or word, violated the injunction of Judge Simonton issued in October, 1901, unless it be admitted that the quiet and peaceable efforts of these two men, who were duly appointed organizers of the United Mine Workers of America to organize lodges among the miners of Virginia be a violation of the injunction. The only effort upon the part of the prosecution to show a violation was the testimony of Detective Baldwin, who was in the employ of the receivers. Baldwin testifies that Weber admitted to him that he had violated the injunction and would continue to do so. The defendant Weber admits having made this statement to the detective, and explains it by saying that when he made the statement to the detective he also stated that he meant that the injunction was so broad that even the breathing of the air which blew across the property in the hands of the receivers would be a violation of the injunction.

The detective admits that he was on most friendly terms with Haddow and Weber; that they knew that he was employed to watch them and report their doings, and he states that he never discovered any act on the part of either of these defendants which he thought necessary to report, excepting only the alleged admission by Weber that he had violated and intended to violate the injunction. He admits that Weber did not specify in what manner he had violated or intended to violate it. It seems utterly improbable that Weber, knowing the capacity in which this detective was employed, would have used the language attributed to him, except in the sense explained by him. One of the specific acts charged against the defendants to show that they violated the injunction, attempted to be proved in the contempt hearings, was that Weber and Haddow had instigated a large force of armed men to march upon the property of the receivers on March 10 for the purpose of intimidating the miners at work and causing them to leave the employ of the receivers. The testimony introduced upon this point by the prosecution is not only conflicting in all its material points, but there is not a syllable of testimony which in any manner whatsoever connects Weber and Haddow with the movement. Belcher, the policeman who assisted in the arrest of the defendants, testifies that he saw between 30 and 50 men go upon the property of the company upon March 10 and go by the commissary up toward the mines. He says he does not know whether this party was armed or not, and testifies that he saw no arms. He says that many of them were going in the direction of their homes, their houses being up beyond the commissary on the company property.

Joseph Virgin, superintendent of operations, in the employ of the receivers, says that this party of men who marched upon the property upon March 10 came in three sections, consisting, approximately, of 150, 128, and 114 men, aggregating 392, of whom about three-fourths stopped at and around the commissary, and about one-fourth passed the commissary and went on toward the mines. He says that 4 or 5 of the men were armed with shotguns or rifles and others with pistols. He says that the presence of these men upon the property had no effect whatever upon the men who were at work. Being again questioned by the prosecution upon this point, he adheres to his statement that their presence had no effect upon the men.

Frank Miller, then and at present the foreman of the coke plant, testifies that he heard some shots fired during the day. He was about half a mile from where the shots were fired. His statement, based on inference, is that the shots were fired by the crowd that marched toward the mine.

George Walters, then and at present mine foreman, saw a crowd of about 50 pass by the commissary on March 10. Some were armed; he could not say how many. He saw no shotguns or rifles. Those whom he saw armed had pistols. He heard no shooting. He says it is a common thing for many of the men to go armed.

As heretofore stated, there is no testimony whatever connecting Haddow or Weber with this movement of a crowd of men, nor is it at all clearly proved that the men marched there with any purpose in view. A reasonable supposition to be drawn from the testimony is that these men had been attending a peaceable meeting of the miners' union and were returning to their homes. Concerning the other defendants, Belcher, the policeman, says that Tom and Cass Braley and David Clarkson were in the crowd that marched past the commissary on March 10. Joseph Virgin, the superintendent of operations, says that Cass Braley and David Clarkson were in the crowd, but he does not remember having seen Tom Braley there. Virgin also testifies that Cass Braley admitted to him that he posted the notices calling the miners to come out. Frank Miller testifies that Cass Braley frequently came to the mines, but witness never saw him attempt to take off any men. David Clarkson did some organizing work. B. Williams saw Cass Braley at the mines on March 10, but did not see him do anything. Neither Cass nor Tom Braley ever attempted to induce witness to join the union.

R. L. Cooper saw Cass Braley at mine No. 4 on March 10, and saw him point to the notices posted and ask the men to come out. Witness does not know David Clarkson, but saw one Clark, called David Clark, post one of the notices. He did not hear Cass Braley make any threats. He had known the latter ever since he had been working at the mines, and knew him to be always a quiet and orderly man. Joseph Virgin testified that the names Clark and Clarkson are used indiscriminately in that region.

George Walters saw Cass Braley on the property on March 10, and he was armed. Tom Braley was in the crowd that came to the commissary. He does not know whether David Clarkson was in the crowd or not.

Joe Zubric, a Hungarian, knows Cass Braley. Braley never told witness to quit work. A negro named Austin advised witness to stop work.

J. R. Becker says that a number of men had asked him to join the union, but none of the defendants had ever asked him to do so. David Clarkson was once with a crowd of men who were trying to induce the witness to join the union.

John Camp testified to certain actions and conversations of Tom Braley. Inasmuch as Judge McDowell bases the conviction of Tom Braley entirely upon the testimony of this witness Camp, I respectfully refer you to the testimony of Camp, at pages 80–82 of the transcript of testimony and at page 20 of the brief of testimony. This witness John Camp testified in brief that he was locomotive fireman at the works, and that on March 10 Tom Braley passed him and said

that witness could run the engine that day but could not run it the next day. He says Braley said nothing to him about any boycotting. He says that he and Tom Braley were good friends and frequently joked each other.

Braley's explanation of the conversation is that he had been discharged by the superintendent without cause or reason, and after being discharged he passed Camp and shouted to him something the effect of which was that he, Braley, had been discharged and that Camp would probably get his discharge pretty soon.

W. R. Clerk testifies that he heard Tom Braley ask a man named Morris to quit work. He also heard a man named Leedy ask Morris to quit work, and Tom Braley was present at the time.

Dan Reynolds heard Cass Braley admit to Mr. Virgin that he had posted one of the notices.

The detective, Baldwin, testified that he had shadowed Weber and Haddow for six or eight months, and that other detectives of his agency were employed by the receivers to watch these two men, and that so far as witness knows they were never discovered in any act violating the orders of the court.

The contention of the defendants that all the trouble was brought about by the attitude of Virgin, the superintendent, in discharging all union men, seems to be well borne out by the testimony, especially by the testimony of Virgin himself, and of Witness George Kilgore, foreman of mine No. 3. The latter's testimony begins at page 31 of the brief of testimony and at page 135 of the transcript of testimony.

J. F. Bullitt, esq., of the the firm of Bullett, Kelly & Hull, who were of counsel for the prosecution, has filed a copy of his argument before the court in this case, and also a brief of argument of his firm, to which is attached a pencil-written abstract of the testimony.

The papers are herewith.

Respectfully,

J. S. Easby-Smith,
Pardon Attorney.

The Attorney-General.

[In the matter of the application for pardon of William Weber et al.]

Office of the Attorney-General,
Washington, D. C., May 6, 1902.

The President: The facts in this case are fully set forth in the accompanying brief of the pardon attorney.

I am unwilling to base a recommendation on seeming acquiescence in the view of the court that the ultimate purpose of the union (the United Mine Workers) is not legal; and it is proper to express the belief that the difficulties at the mine were aggravated by the arbitrary discharge of union workmen. Nevertheless I do not intend by this statement to pass upon the final judicial finding of fact that contempt was committed.

Under all circumstances, and especially in view of the punishment already suffered, I recommend that as an act of Executive grace the application for pardon be granted.

P. C. Knox,
Attorney-General.

DEPARTMENT OF JUSTICE,
February 27, 1906.

Pursuant to the act of Congress of March 5, 1872, I hereby certify that the annexed paper is a true copy of the original warrant for the pardon of William Weber on file in this office.

In witness whereof I have hereunto set my hand and caused the seal of the Department of Justice to be affixed, on the day and year first above written.

[SEAL.] WILLIAM H. MOODY,
Attorney-General.

Theodore Roosevelt, President of the United States of America, to all to whom these presents shall come, greeting:

Whereas William Weber was charged with a contempt of the United States circuit court for the western district of Virginia, and after a hearing before Hon. Henry C. McDowell, United States circuit judge for the western district of Virginia, was adjudged guilty, and on March 25, 1902, sentenced to imprisonment for six months in the city jail of Lynchburg, Va.; and

Whereas it has been made to appear to me that the said William Weber is a fit object of Executive clemency:

Now therefore be it known that I, Theodore Roosevelt, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby grant unto the said William Weber a full and unconditional pardon.

In testimony whereof I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

Done at the city of Washington this 6th day of May, A. D. 1902, and of the Independence of the United States the one hundred and twenty-sixth.

T. ROOSEVELT.

By the President:
[SEAL.] P. C. KNOX, *Attorney-General.*

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